



GAIL FARBER, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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IN REPLY PLEASE
REFER TO FILE:

October 6, 2009

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

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October 6, 2009

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

Dear Supervisors:

**AWARD OF PUBLIC WORKS CONSTRUCTION CONTRACTS
CITY OF INDUSTRY AND IN THE UNINCORPORATED COMMUNITIES OF
CALABASAS, HACIENDA HEIGHTS, ROWLAND HEIGHTS,
TOPANGA, AND SOUTH WHITTIER
(SUPERVISORIAL DISTRICTS 1, 3, AND 4)
(3 VOTES)**

SUBJECT

This action is to award public works construction contracts and authorize the Director of Public Works or her designee to execute contracts for work in the City of Industry and the unincorporated communities of Calabasas, Hacienda Heights, Rowland Heights, Topanga, and South Whittier.

IT IS RECOMMENDED THAT YOUR BOARD:

Award and authorize the Director of Public Works or her designee to prepare the construction contracts in the form previously approved by County Counsel, execute the contracts, and establish the effective dates following receipt of approved Faithful Performance and Labor and Material bonds and insurance filed by the contractors for the following:

- Project ID No. RDC0013718 - Ulmus Drive, et al., to reconstruct roadway, curb and gutter, sidewalk, and driveways and construct curb ramps, in the unincorporated communities of Calabasas and Topanga, to Sully-Miller Contracting Company, in the amount of \$489,721.35.

- Project ID No. RDC0013880 - Sunshine Avenue, to reconstruct roadway, curb and gutter, sidewalk, and driveways and construct curb ramps, in the unincorporated community of South Whittier, to Pave West, Inc., in the amount of \$313,751.10.
- Project ID No. RDC0014496 - Pomona Freeway Interchange Improvements, to landscape roadway medians including planting trees, shrubs, and groundcover and construct colored concrete, river rock pavement, and an irrigation system, in the City of Industry and the unincorporated communities of Rowland Heights and Hacienda Heights, to Land Forms Landscape Construction, in the amount of \$624,019.50.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended action is to obtain the County of Los Angeles Board of Supervisors' (Board) approval to award these construction contracts and authorize the Director of Public Works or her designee to execute the contracts and establish the effective contract dates following receipt of approved bonds and insurance filed by contractors for each of these projects.

See enclosures as follows for each project. The enclosures for each project include the project description, the call for bids and bid opening dates, a tabulation of bids, and financial information. The certified record of receipt of bids and the original bid proposals for each project are also enclosed including addenda to the contract specifications for Project ID Nos. RDC0013880 and RDC0014496.

- Project ID No. RDC0013718 - Sheets 1A and 1B
- Project ID No. RDC0013880 - Sheets 2A and 2B
- Project ID No. RDC0014496 - Sheets 3A and 3B

The recommended construction contracts are necessary to execute Board-directed and approved Department of Public Works (Public Works) projects in support of operational missions. Your Board's approval of the recommended contract awards and the subsequent execution of the contracts will ensure the timely completion of the projects.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provisions of Operational Effectiveness (Goal 1) and Community and Municipal Services (Goal 3). Awarding these contracts will provide improved infrastructure to better serve the public and will enhance the quality of life in the affected communities.

FISCAL IMPACT/FINANCING

These actions will have no impact to the County General Fund.

Sufficient funds for these projects are included in the Fiscal Year 2009-10 Road Fund Budget in the Third Supervisorial District's Road Construction Program (Project ID No. RDC0013718), the First Supervisorial District's Road Construction Program (Project ID No. RDC0013880), and the First and Fourth Supervisorial District's Road Construction Programs (Project ID No. RDC0014496).

The enclosures for each project include the amount of the recommended contract as compared with the engineer's estimate and the other bids received.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The contract agreements will be in the form previously reviewed and approved as to form by County Counsel. The recommended contracts were solicited on an open competitive basis and are in accordance with applicable Federal, State, and County requirements. The contractors are in compliance with the Chief Executive Officer's and your Board's requirements.

These contracts contain terms and conditions supporting your Board's ordinances, policies, and programs, including but not limited to: County of Los Angeles' (County) Greater Avenues for Independence and General Relief Opportunities for Work Programs (GAIN and GROW), Board Policy No. 5.050; Contract Language to Assist in Placement of Displaced County Workers, Board Policy No. 5.110; Reporting of Improper Solicitations, Board Policy No. 5.060; Notice to Contract Employees of Newborn Abandonment Law (Safely Surrendered Baby Law), Board Policy No. 5.135; Contractor Employee Jury Service Program, Los Angeles County Code, Chapter 2.203; Notice to Employees Regarding the Federal Earned Income Credit (Federal Income Tax Law, Internal Revenue Service Notice 1015); Contractor Responsibility and Debarment, Los Angeles County Code, Chapter 2.202; the Los Angeles County's Child Support Compliance Program, Los Angeles County Code, Chapter 2.200; and the standard Board-directed clauses that provide for contract termination or renegotiation.

The State Public Contract Code requires the County to award construction contracts to a responsible contractor with the lowest responsive bid, which is defined as the firm that; (1) submits the bid with the lowest cost; (2) is deemed by the County to be responsive to specific criteria under the solicitation including, but not limited to, licensure, bonding, and insurance requirements; and (3) is determined by the County to be a responsible bidder by exhibiting the capability, capacity, experience, trustworthiness, and financial wherewithal to perform the work required under the bid solicitation.

To ensure the contracts are awarded to contractors with satisfactory history of performance, bidders are required to report violations of the False Claims Act, criminal convictions, civil litigation, defaulted contracts with the County, complaints filed with the Contractor's State License Board, labor law/payroll violations, and debarment actions. As provided for in Board Policy No. 5.140, the information reported by each respective contractor was considered before making this recommendation to award.

The plans and specifications include the contractual provisions, methods, and material requirements necessary for this project and are on file with Public Works.

ENVIRONMENTAL DOCUMENTATION

Each of these projects was found to be categorically exempt from the provisions of the California Environmental Quality Act at the time your Board called for bids. The specifics of these findings are included in the enclosure for each project.

CONTRACTING PROCESS

The contracts were solicited on an open competitive basis in accordance with the provisions of the State Public Contract Code.

The State Labor Code requires contractors to pay prevailing wage rates to all persons employed on public works construction contracts. These rates are determined by the Department of Industrial Relations and include contributions for fringe benefits such as vacations, pension funds, training, and health plans for each employee.

To further increase contractor awareness of contracting opportunities with Public Works, each of these projects was listed on the County website for upcoming bids.

Public Works will review and approve the faithful performance and payment bonds filed by the contractors.

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IMPACT ON CURRENT SERVICES (OR PROJECTS)

These construction contracts will result in improved public works infrastructure in the communities where the work is scheduled.

CONCLUSION

Please return one adopted copy of this letter to the Department of Public Works, Construction Division.

Respectfully submitted,

A handwritten signature in cursive script that reads "Gail Farber".

GAIL FARBER
Director of Public Works

GF:JTS:ss

Enclosure

c: Chief Executive Office (Lari Sheehan)
County Counsel
Executive Office
Office of Affirmative Action Compliance

AWARD OF CONTRACT
October 6, 2009

PROJECT ID NO. RDC0013718 - ULMUS DRIVE, ET AL. (in the unincorporated communities of Calabasas and Topanga), Supervisorial District 3

TYPE OF WORK: Reconstruction of roadway pavement, curb and gutter, sidewalk, and driveways; construction of curb ramps; and the performance of other appurtenant work.

CALL FOR BIDS DATE: April 21, 2009 (Agenda Item 38)

BID OPENING DATE: May 19, 2009

BID SUMMARY:

Low	Sully-Miller Contracting Company, a corporation 1100 East Orangethorpe Avenue, Suite 200 Anaheim, California 92801 (714) 578-9600	\$489,721.35
2	Berry General Engineering Contractors, Inc.	\$498,943.10
3	*Pena Grading and Demolition, Inc.	\$508,180.00
4	Excel Paving Company	\$558,333.00
5	MG Enterprises, Inc.	\$563,607.00
6	Hardy & Harper, Inc.	\$616,236.00

*MWBE

A & R Construction Corp. submitted a bid of \$706,960.25; however, their bid indicated that over 50 percent of the work was to be performed by a subcontractor, which violates the Self Performance Requirements of Section 2-3.2 of the 2006 Greenbook. Therefore, this bid is considered nonresponsive and rejected as provided in the Instructions to Bidders.

FINANCIAL INFORMATION:

Amount of estimate	\$620,709.00
Amount of recommended contract	\$489,721.35
Amount of recommended contract below estimate	\$130,987.65

The amount of the recommended contract is 21 percent below the estimate.

The project cost will be financed with State Proposition 1B funds under the Local Streets and Road Improvement, Congestion Relief, and Traffic Safety Account of 2006. This project is included in the Third Supervisorial District's Road Construction Program in the Fiscal Year 2009-10 Road Fund Budget.

MINORITY/WOMEN-OWNED BUSINESS ENTERPRISE DATA:

Sully-Miller Contracting Company has no MWBE subcontractors/suppliers under this contract.

ENVIRONMENTAL IMPACT:

On April 21, 2009, Agenda Item 38, your Board found this project categorically exempt.

CONSTRUCTION SCHEDULE:

The project is to be completed in 40 working days. It is estimated the work will start in December 2009 and be completed in February 2010.

AMF:lgn

AWARD OF CONTRACT
October 6, 2009

PROJECT ID NO. RDC0013880 - SUNSHINE AVENUE (in the unincorporated community of South Whittier), Supervisorial District 1

TYPE OF WORK: Reconstruction of roadway pavement, curb and gutter, sidewalk, and driveways; construction of curb ramps; and the performance of other appurtenant work.

CALL FOR BIDS DATE: April 21, 2009 (Agenda Item 38)

BID OPENING DATE: May 19, 2009

BID SUMMARY:

Low	D.P. Mangan, Inc., dba Pave West, Inc. 551 South Harbor Boulevard La Habra, California 90631 (562) 694-3113	\$313,751.10
2	*Copp Contracting, Inc.	\$328,669.40
3	*Toro Enterprises, Inc.	\$337,409.30
4	Sequel Contractors, Inc.	\$343,107.00
5	Excel Paving Company	\$347,352.75
6	*Ruiz Engineering Company	\$347,872.55
7	All American Asphalt	\$349,349.00
8	Bannaoun Engineers Constructors	\$351,850.30
9	Sully-Miller Contracting Company	\$356,881.30
10	Tyner Paving Company	\$360,186.22
11	R.J. Noble Company	\$365,127.70
12	Elite Bobcat Service, Inc.	\$373,812.00
13	Terra Pave, Inc.	\$414,595.75
14	Gentry Brothers, Inc.	\$431,617.70
15	E.C. Construction Company, Inc.	\$473,208.47
16	Hardy & Harper, Inc.	\$629,317.00

*MWBE

FINANCIAL INFORMATION:

Amount of estimate	\$546,012.00
Amount of recommended contract	\$313,751.10
Amount of recommended contract below estimate	\$232,260.90

The amount of the recommended contract is 43 percent below the estimate.

The project cost will be financed with State Proposition 1B funds under the Local Streets and Road Improvement, Congestion Relief, and Traffic Safety Account of 2006. This project is included in the First Supervisorial District's Road Construction Program in the Fiscal Year 2009-10 Road Fund Budget.

MINORITY/WOMEN-OWNED BUSINESS ENTERPRISE DATA:

Pave West, Inc., has no MWBE subcontractors/suppliers under this contract.

ENVIRONMENTAL IMPACT:

On April 21, 2009, Agenda Item 38, your Board found this project categorically exempt.

CONSTRUCTION SCHEDULE:

The contract specifications require the work to be completed in 40 working days. It is estimated the work will start in December 2009 and be completed in February 2010.

EK:lgm

AWARD OF CONTRACT
October 6, 2009

PROJECT ID NO. RDC0014496 - POMONA FREEWAY INTERCHANGE IMPROVEMENTS (in the City of Industry and the unincorporated communities of Rowland Heights and Hacienda Heights), Supervisorial Districts 1 and 4

TYPE OF WORK: Landscaping of roadway medians including planting of trees, shrubs, and groundcover; construction of stamped colored concrete, river rock pavement, and an automatic irrigation system; and the performance of other appurtenant work.

CALL FOR BIDS DATE: June 30, 2009 (Agenda Item 36)

BID OPENING DATE: July 28, 2009

BID SUMMARY:

Low	Jeff Tracy, Inc., a corporation dba Land Forms Landscape Construction 27601 Forbes Road, Suite 36 Laguna Niguel, California 92677 (949) 582-0877	\$624,019.50
2	America West Landscape, Inc.	\$749,133.41
3	*Mega Way Enterprises	\$846,109.90
4	Elite Landscaping, Inc.	\$918,927.64

*MWBE

Excel Paving Company and Peterson-Chase General Engineering Construction, Inc., submitted bids in the amounts of \$644,372.65 and \$739,483.05, respectively; however, they do not possess a C-27 license as required in the specifications. Therefore, their bids were considered nonresponsive and rejected as provided in the Instructions to Bidders.

Belaire West Landscape, Inc., submitted a bid in the amount of \$784,247; however, they did not properly disclose ongoing civil litigation in their bid proposal. Therefore, their bid was considered nonresponsive and rejected as provided in the Instructions to Bidders.

FINANCIAL INFORMATION:

Amount of estimate	\$1,035,137.50
Amount of recommended contract	\$ 624,019.50
Amount of recommended contract below estimate	\$ 411,118.00

The amount of the recommended contract is 40 percent below the estimate.

The total project cost is estimated to be \$1,555,000. A portion of this project is within the City of Industry. A County-City Cooperative Agreement provides for the County to perform the preliminary engineering and administer the construction of the project under the Federal Transportation Enhancement Activities (TEA) Program with the City of Industry and the County to finance their respective jurisdictional shares of the non-Federally reimbursable portion of the project cost as shown in the chart below. This project is included in the First and Fourth Supervisorial Districts' Road Construction Programs in the Fiscal Year 2009-10 Road Fund Budget.

Total Project Cost	Federal TEA Grant Reimbursement	City of Industry 17.4%	SD 1 RCP 32.0%	SD 4 RCP 50.6%
\$1,555,000	\$856,000	\$119,000	\$224,000	\$356,000

MINORITY/WOMEN-OWNED BUSINESS ENTERPRISE DATA:

Land Forms Landscape Construction has no MWBE subcontractors/suppliers under this contract.

ENVIRONMENTAL IMPACT:

On December 16, 2008, Agenda Item 38, your Board found this project categorically exempt.

CONSTRUCTION SCHEDULE:

This project is to be completed in 60 working days. It is estimated the work will start in December 2009 and be completed in March 2010.

CSM:en